

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

|                                |   |              |
|--------------------------------|---|--------------|
| AIR MARSHAL ASSOCIATION        | : |              |
|                                | : | CIVIL ACTION |
| v.                             | : |              |
|                                | : | NO. 22-2254  |
| SECRETARY OF THE DEPARTMENT OF | : |              |
| HOMELAND SECURITY et al.       | : |              |

**SURRICK, J.**

**FEBRUARY 4, 2025**

**ORDER**

**AND NOW**, this 4th day of February, 2025, upon consideration of the Motion to Dismiss submitted by Defendants U.S. Department of Homeland Security, Transportation Security Administration, and the Federal Air Marshal Service (“Agency Defendants”) (ECF No. 10) and the Motion to Dismiss submitted by Defendant Richard F. Altomare (ECF No. 11), and all documents submitted in support thereof and in opposition thereto, it is **ORDERED** that Defendants’ Motions are **GRANTED IN PART** and **DENIED IN PART**:

1. Plaintiff’s claims against Defendant Richard F. Altomare individually are **DISMISSED**.
2. The United States is **SUBSTITUTED** in place of Defendant Richard F. Altomare with respect to Plaintiff’s contractual interference claim in Count III.
3. Plaintiff’s First Amendment and contractual interference claims (Counts I & III) are **DISMISSED** to the extent Plaintiff seeks monetary relief. Plaintiff may proceed with these claims only to the extent it seeks non-monetary relief.
4. Plaintiff’s Unfair Labor Practices and Civil Conspiracy claims (Counts II & IV) are **DISMISSED**.

**IT IS SO ORDERED.**

**BY THE COURT:**

/s/ R. Barclay Surrick  
**R. BARCLAY SURRICK, J.**